



## **CITY OF SANTA BARBARA**

### **JOINT COUNCIL AND REDEVELOPMENT AGENCY AGENDA REPORT**

**AGENDA DATE:** June 29, 2010

**TO:** Mayor and Councilmembers  
Agency Chair and Board Members

**FROM:** Housing and Redevelopment Division,  
Community Development Department

**SUBJECT:** Memorandum Of Understanding Regarding The State Courthouse  
Application

#### **RECOMMENDATION:**

That the City Council and Agency Board authorize the City Administrator/Agency Executive Director to execute a Memorandum of Understanding between the City and the Redevelopment Agency and the State of California, acting by and through the Judicial Council of California (Administrative Office of the Courts), in a form of agreement acceptable to the City Attorney, regarding the planning and design of a possible new criminal courthouse in Santa Barbara.

#### **DISCUSSION:**

The State of California, acting through the staff of the Administrative Office of the Courts (AOC), is looking into the feasibility of acquiring real property near the existing Santa Barbara County Criminal Courthouse on Figueroa Street with the possible intention of designing and constructing new court facilities or making additions and related improvements for either a new Santa Barbara criminal courthouse or an expansion of the existing Figueroa Street courthouse. The state funds available for this project have accrued over the years in a special state building fund based on a surcharge imposed by state law on criminal and traffic fines. These surcharge funds must, by law, be used exclusively to acquire land for and to construct state courthouse buildings including, where necessary, administrative offices and pre-trial holding facilities related to the criminal and civil justice system.

Most of the real properties now being considered by the State AOC are located within the area of the City which is designated for redevelopment pursuant to the Redevelopment Plan for the Santa Barbara Central City Redevelopment Project area as the Plan was originally adopted in 1972 by City ordinance. As required by state redevelopment statutes, a copy of Central City Redevelopment Project Area Plan was

recorded in 1972 and 1977 (when it was substantially amended) in the official records of the County of Santa Barbara. Thus, the notice of the CCRP Plan appears in the chain of title for every parcel of real property located within the CCRP Area Plan, including those properties now being actively considered for acquisition by the State AOC.

As a result, the State AOC, as a condition of acquiring any real property for a courthouse, has advised the City that it will need the Redevelopment Agency and City Council to approve a written agreement by and between the City, the Agency, and the State AOC to establish and confirm the non-applicability of any land development restrictions which may otherwise be imposed by the CCRP on the properties within the CCRP and on the State's potential courthouse project. Specifically, the state Department of General Services (which will administer any actual construction project), has asked to receive a written waiver of any development restrictions which may be imposed by the CCRP in order to be assured that no future encumbrance will stall or preclude the development of the AOC courthouse project. City and Agency Staff has no concerns in recommending this waiver of possible CCRP restrictions because, in fact, the CCRP itself imposes no development restrictions of its own beyond those established separately by the City's Municipal Code and Charter requirements.

**PREPARED BY:** City Attorney's Office/Community Development Department

**SUBMITTED BY:** Paul Casey, Assistant City Administrator/Community Development

**APPROVED BY:** City Administrator's Office